

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

AMERICAN AUTOMOBILE ASSOCIATION, INC.,

Plaintiff,

-against-

PERMANENT INJUNCTION
& ORDER

15-CV-7386 (NGG) (MDG)

JENE LIMAGE, individually and d/b/a
AAA+ TRANSMISSION,

Defendant.

-----X

NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff American Automobile Association, Inc. (“AAA”) requests a permanent injunction against Defendant Jene Limage, individually and doing business as AAA+ Transmission, to protect against infringement of Plaintiff’s family of “AAA” trademarks (the “AAA Marks”). (Compl. (Dkt. 1) ¶ 50(a).) For the reasons stated in the court’s Memorandum and Order, the court GRANTS a permanent injunction with terms as set forth in this order.

It is hereby ORDERED that Defendant and his agents, servants, employees, attorneys, and any and all persons in active concert or participation with him, shall:

(1) Immediately and permanently cease and desist from all use of the AAA Marks, of any combinations of the letters “A,” of AAA’s orbital design, or any other confusingly similar mark in any form or manner that resembles, suggests, or intimates that Defendant’s business is approved or endorsed by, or otherwise affiliated with AAA;

(2) Pursuant to section 36 of the Lanham Act, 15 U.S.C. § 1118, destroy all literature, signs, billboards, labels, prints, packages, wrappers, containers, advertising materials, stationery, and other items in his possession or control that contain the AAA Marks or any term, symbol, or

logo confusingly similar to those marks; and shall destroy any and all means in its possession or control of making any of those infringing items;

(3) Delete or remove from any publication any advertisements paid for or used by him containing any of the AAA Marks and any other name, mark, or logo confusingly similar to them;

(4) Delete, destroy, and remove all electronic content, including all websites, domain names, and other electronic materials displaying the AAA Marks and any other name, mark, or logo confusingly similar to them;

(5) Instruct third parties to remove any reference to the AAA Marks and any name, mark, or logo confusingly similar to them on websites, publications, or other electronic materials;

(6) Immediately and permanently cease use of any search engine optimization techniques or ad words or key words, that use the AAA Marks; and

(7) File with the Court and serve on AAA, within thirty days after the entry of an injunction, a report in writing under oath setting forth in detail the manner in which Defendant has complied with the Court's injunction and orders.

SO ORDERED.

Dated: Brooklyn, New York
August 26, 2016

s/Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge